



General Assembly

January Session, 2001

Amendment

LCO No. 5395

Offered by:

SEN. COLEMAN, 2nd Dist.

To: Subst. Senate Bill No. 1049

File No. 66

Cal. No. 108

"AN ACT CONCERNING STATE AGENCY AFFIRMATIVE ACTION PLANS."

1 Strike everything after the enacting clause and insert the following
2 in lieu thereof:

3 "Section 1. Subsection (c) of section 46a-68 of the general statutes is
4 repealed and the following is substituted in lieu thereof:

5 (c) Each state agency, department, board and commission shall file
6 an affirmative action plan developed in accordance with subsection (a)
7 of this section, with the Commission on Human Rights and
8 Opportunities, semiannually, except that any state agency,
9 department, board or commission which has an affirmative action plan
10 approved by the commission may be permitted to file its plan on an
11 annual basis in a manner prescribed by the commission and any state
12 agency, department, board or commission that employs twenty or
13 fewer full-time employees shall file its affirmative action plan
14 biennially.

15 Sec. 2. Subsection (g) of section 46a-68 of the general statutes is
16 repealed and the following is substituted in lieu thereof:

17 (g) The Commission on Human Rights and Opportunities shall
18 adopt regulations, in accordance with chapter 54, to carry out the
19 requirements of this section. Such regulations shall include a schedule
20 for semiannual, [and] annual and biennial filing of plans.

21 Sec. 3. Section 46a-54 of the general statutes is repealed and the
22 following is substituted in lieu thereof:

23 The commission shall have the following powers and duties:

24 (1) To establish and maintain such offices as the commission may
25 deem necessary;

26 (2) To organize the commission into a division of affirmative action
27 monitoring and contract compliance, a division of discriminatory
28 practice complaints and such other divisions, bureaus or units as may
29 be necessary for the efficient conduct of business of the commission;

30 (3) To employ a commission counsel who shall not be subject to the
31 provisions of chapter 67;

32 (4) To appoint such investigators and other employees and agents as
33 it deems necessary, fix their compensation within the limitations
34 provided by law and prescribe their duties;

35 (5) To adopt, publish, amend and rescind regulations consistent
36 with and to effectuate the provisions of this chapter;

37 (6) To establish rules of practice to govern, expedite and effectuate
38 the procedures set forth in this chapter;

39 (7) To recommend policies and make recommendations to agencies
40 and officers of the state and local subdivisions of government to
41 effectuate the policies of this chapter;

42 (8) To receive, initiate as provided in section 46a-82, investigate and

43 mediate discriminatory practice complaints;

44 (9) By itself or with or by hearing officers or human rights referees,
45 to hold hearings, subpoena witnesses and compel their attendance,
46 administer oaths, take the testimony of any person under oath and
47 require the production for examination of any books and papers
48 relating to any matter under investigation or in question;

49 (10) To make rules as to the procedure for the issuance of subpoenas
50 by individual commissioners, hearing officers and human rights
51 referees;

52 (11) To require written answers to interrogatories under oath
53 relating to any complaint under investigation pursuant to this chapter
54 alleging any discriminatory practice as defined in subdivision (8) of
55 section 46a-51, and to adopt regulations₂ in accordance with the
56 provisions of chapter 54₂ for the procedure for the issuance of
57 interrogatories and compliance with interrogatory requests;

58 (12) To utilize such voluntary and uncompensated services of
59 private individuals, agencies and organizations as may from time to
60 time be offered and needed and with the cooperation of such agencies,
61 (A) to study the problems of discrimination in all or specific fields of
62 human relationships₂ and (B) to foster through education and
63 community effort or otherwise good will among the groups and
64 elements of the population of the state;

65 (13) To require the posting by an employer, employment agency or
66 labor organization of such notices regarding statutory provisions as
67 the commission shall provide;

68 (14) To require the posting, by any respondent or other person
69 subject to the requirements of section 46a-64, 46a-64c, 46a-81d or 46a-
70 81e, of such notices of statutory provisions as it deems desirable;

71 (15) (A) To require an employer having three or more employees to
72 post in a prominent and accessible location information concerning the

73 illegality of sexual harassment and remedies available to victims of
74 sexual harassment; and (B) to require an employer having fifty or more
75 employees to provide two hours of training and education to all
76 supervisory employees within one year of October 1, 1992, and to all
77 new supervisory employees within six months of their assumption of a
78 supervisory position, provided any employer who has provided such
79 training and education to any such employees after October 1, 1991,
80 shall not be required to provide such training and education a second
81 time. Such training and education shall include information
82 concerning the federal and state statutory provisions concerning
83 sexual harassment and remedies available to victims of sexual
84 harassment. As used in this subdivision, "sexual harassment" shall
85 have the same meaning as set forth in subdivision (8) of subsection (a)
86 of section 46a-60, and "employer" shall include the General Assembly;

87 (16) To require each state agency that employs one or more
88 employees to (A) provide a minimum of three hours of diversity
89 training and education (i) to all supervisory and nonsupervisory
90 employees, not later than [January 1, 2001] July 1, 2002, with priority
91 for such training to supervisory employees, and (ii) to all newly hired
92 supervisory and nonsupervisory employees, not later than six months
93 after their assumption of a position with a state agency, with priority
94 for such training to supervisory employees. Such training and
95 education shall include information concerning the federal and state
96 statutory provisions concerning discrimination and hate crimes
97 directed at protected classes and remedies available to victims of
98 discrimination and hate crimes, standards for working with and
99 serving persons from diverse populations and strategies for addressing
100 differences that may arise from diverse work environments; and (B)
101 submit an annual report to the Commission on Human Rights and
102 Opportunities concerning the status of the diversity training and
103 education required under subparagraph (A) of this subdivision. The
104 information in such annual reports shall be reviewed by the
105 commission for the purpose of submitting an annual summary report
106 to the General Assembly. Notwithstanding the provisions of this

107 section, if a state agency has provided such diversity training and
108 education to any of its employees prior to October 1, 1999, such state
109 agency shall not be required to provide such training and education a
110 second time to such employees. The requirements of this subdivision
111 shall be accomplished within available appropriations. As used in this
112 subdivision, "employee" shall include any part-time employee who
113 works more than twenty hours per week and any contractor who is
114 subject to the requirements of section 46a-68d;

115 (17) To require each agency to submit information demonstrating its
116 compliance with subdivision (16) of this section as part of its
117 affirmative action plan and to receive and investigate complaints
118 concerning the failure of a state agency to comply with the
119 requirements of subdivision (16) of this section; and

120 (18) To enter into contracts for and accept grants of private or
121 federal funds and to accept gifts, donations or bequests, including
122 donations of service by attorneys."